



House of Representatives

General Assembly

File No. 407

January Session, 2007

House Bill No. 5119

House of Representatives, April 10, 2007

The Committee on Environment reported through REP. ROY, R. of the 119th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE LOCATION OF A RESOURCES RECOVERY FACILITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 22a-208a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2007*):

4 (a) The Commissioner of Environmental Protection may issue, deny,
5 modify, renew, suspend, revoke or transfer a permit, under such
6 conditions as he may prescribe and upon submission of such
7 information as he may require, for the construction, alteration and
8 operation of solid waste facilities, in accordance with the provisions of
9 this chapter and regulations adopted pursuant to this chapter.
10 Notwithstanding the provisions of this section, the commissioner shall
11 not issue (1) a permit for a solid waste land disposal facility on former
12 railroad property until July 1, 1989, unless the commissioner makes a
13 written determination that such facility is necessary to meet the solid
14 waste disposal needs of the state and will not result in a substantial

15 excess capacity of solid waste land disposal areas or disrupt the
16 orderly transportation of or disposal of solid waste in the area affected
17 by the facility, or (2) an operational permit for a resources recovery
18 facility unless (A) the applicant has submitted a plan pursuant to
19 section 22a-208g for the disposal or recycling of ash residue expected
20 to be generated at the facility in the first five years of operation, and (B)
21 the applicant has obtained the approval of the host municipality where
22 the resources recovery facility is located or proposed to be located if
23 the issuance or renewal of such permit would result in the location of
24 more than one solid waste facility in the host municipality. In making a
25 decision to grant or deny a permit to construct a solid waste land
26 disposal facility, including a vertical or horizontal landfill expansion,
27 the commissioner shall consider the character of the neighborhood in
28 which such facility is located and may impose requirements for hours
29 and routes of truck traffic, security and fencing and for measures to
30 prevent the blowing of dust and debris and to minimize insects,
31 rodents and odors. In making a decision to grant or deny a permit to
32 construct or operate a new transfer station, the commissioner shall
33 consider whether such transfer station will result in disproportionately
34 high adverse human health or environmental effects. In making a
35 decision to grant or deny a permit to construct an ash residue disposal
36 area, the commissioner shall consider any provision which the
37 applicant shall make for a double liner, a leachate collection or
38 detection system and the cost of transportation and disposal of ash
39 residue at the site under consideration.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2007	22a-208a(a)
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ENV *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

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State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5119*****AN ACT CONCERNING THE LOCATION OF A RESOURCES RECOVERY FACILITY.*****SUMMARY:**

Under current law, anyone seeking a Department of Environmental Protection permit to operate a resources recovery facility must submit a plan to dispose of or recycle ash residue the facility is expected to generate in its first five years of operation. The bill adds the requirement that the applicant obtain the approval of the municipality where the facility is or will be located, if issuance or renewal of the operating permit would result in siting more than one solid waste facility in that municipality.

EFFECTIVE DATE: July 1, 2007

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 31 Nay 0 (03/21/2007)